

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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IN RE: DEUTSCHE BANK AKTIENGESELLSCHAFT
SECURITIES LITIGATION

No.: 16-cv-03495 (AT)(BCM)

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**NOTICE OF DEFENDANTS' MOTION TO DISMISS
THE CONSOLIDATED AMENDED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss the Consolidated Amended Class Action Complaint and the Affirmation of Charles A. Gilman and the Exhibits attached thereto, Defendants Deutsche Bank Aktiengesellschaft, John Cryan, Marcus Schenck, and Anshuman Jain will move this Court, by and through their undersigned attorneys, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, Courtroom 15D, New York, New York, before the Honorable Analisa Torres, United States District Judge, on such date and time as the Court determines, for an Order dismissing the Consolidated Amended Complaint ("CAC") in its entirety pursuant to Federal Rules of Civil Procedure 8(a), (9b), and 12(b)(6).¹

¹ The CAC names two corporate and 12 individual defendants. Deutsche Bank and its current chief executive and chief financial officers (John Cryan and Marcus Schenck) accepted service through counsel. Despite the fact that this action was commenced on May 10, 2016, in nine months Plaintiffs have purported to serve only one other defendant, Anshuman Jain (former co-chairman and co-chief executive officer of Deutsche Bank). *See* ECF 62. We suggested that proceedings be stayed while Plaintiffs got their service squared away. Plaintiffs refused. *See* ECF 65 at 1 n.1. This motion is therefore made on behalf of Deutsche Bank and Messrs. Cryan, Schenck and Jain. All other Defendants reserve all rights.

PLEASE TAKE FURTHER NOTICE that, in accordance with the schedule set by the Court by Order dated January 23, 2017, Plaintiffs' shall serve and file any opposition by March 7, 2017; and Defendants shall serve any reply by March 14, 2017.

February 21, 2017

Respectfully submitted,

/s/ Charles A. Gilman

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